IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.APPLICATION NO.745 OF 2007
IN
CRI.APPEAL NO. 606 OF 2007

Rupesh @ Prince Mahabal Shetty ..Appellant/ Accused

Vs.

The State of Maharashtra ..Respondent

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Mr.A.P.Mundargi with A.R.Dubey counsel for Appellant/Applicant
Mrs.V.R.Bhosale APP for the State

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CORAM: R.M.S.KHANDEPARKAR, AND SMT.V.K.TAHILRAMANI, JJ.

DATE : JULY 05, 2007

P.C.[PER SMT.V.K.TAHILRAMANI,J.]:

1. Heard the learned counsel for the Applicant and the learned APP for the State.

2. By judgment and order dated 24.4.2007 passed by the learned Addl.Sessions Judge, Court No.24, Gr.Bombay, the applicant has been convicted under Section 302 of IPC. The applicant is now seeking

bail.

3. The evidence of PW 1 Mrs.Sajani Jagtap clearly implicates the applicant. She has stated that on the day of the incident, she heard the applicant and Seva Dhakne having an altercation. Thereafter, she heard the sound of Seva Dhakne shouting "Save me, save me" ("Muze Bachao Muze Bachao" in Hindi). The witness rushed to the flat and from the entrance door, she saw that accused had caught hold of head of Seva and was bending her head in a tub containing water. On account of the said act, Seva died. Looking to this evidence, in our opinion, this is not a fit case to grant bail.

4. Application is rejected.

[R.M.S.KHANDEPARKAR, J.]

[SMT.V.K.TAHILRAMANI,J.]